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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Pocket No. A-61008-1/RFT/TAL

Anticipated Classification of
this Application:
Class: Subclass:

Prior Application: 09/033,462

Examiner: P. Gambel

Art Unit: 1644

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NUMBER EL659498595US

DATE OF DEPOSIT December 19, 2000

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
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TO: BOX PATENT APPLICATION FEE, ASSISTANT COMMISSIONER
FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME Vincent Diaz

SIGNED *Vincent Diaz*

Box PATENT APPLICATION FEE

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a request for filing an

- ☐ Original
☐ Continuation
☒ Divisional
☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of Roland Buelow, for CYTOMODULATING PEPTIDE FOR INHIBITING LYMPHOCYTE ACTIVITY. This ☐ continuation ☒ divisional ☐ continuation-in-part claims priority to pending application Serial No. 08/433,613, filed on May 3, 1995.

1. (a) ☐ Enclosed is a new application.
(b) ☐ Enclosed is a continuation-in-part application.
(c) ☒ Enclosed is a copy of the prior application.
2. (a) ☐ Enclosed is a new Declaration.
(b) ☐ Enclosed is a copy of the prior executed Declaration as originally filed.
(c) ☐ Enclosed is a Combined Declaration/Power of Attorney.
(d) ☒ Enclosed is a copy of the Declaration and Power of Attorney as originally filed.
3. (a) ☐ Enclosed is a Small Entity Affidavit.
(b) ☒ Enclosed is a copy of the prior Small Entity Affidavit as originally filed.
(c) ☐ A Small Entity Affidavit is of record in the prior application.

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Form 1.16b (1038472)

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4. The filing fee is calculated below: Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1)	(Col.2)	<u>SMALL ENTITY</u>			<u>OTHER THAN A SMALL ENTITY</u>	
For:	<u>No. Filed</u>	<u>No. Extra</u>	<u>Rate</u>	<u>Fee</u>	<u>Or</u>	<u>Rate</u>	<u>Fee</u>
Basic Fee				\$355.00			\$690.00
Total Claims	<u>5</u> - 20 =	<u>0</u>	<u> </u> x 9 =	\$ <u>0</u>	OR	<u> </u> x \$18 =	\$ <u> </u>
Indep Claims	<u>3</u> - 3 =	<u>0</u>	<u> </u> x 39 =	\$ <u>0</u>	OR	<u> </u> x \$78 =	\$ <u> </u>
[] Multiple Depen Claims			+ \$135 =	\$ <u> </u>	OR	+ \$260 =	\$ <u> </u>
Total				<u>\$355.00</u>			<u>\$ <u> </u></u>

* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

5. X The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-61008/RFT/TAL).
6. X Check No. 33524 for \$355.00 is enclosed to pay the fees.
7. X Cancel in this application original claims 1-12 of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
8. X Amend the specification by inserting before the first line the sentence:
--This is a divisional of application U.S. Serial No. 08/433,613, filed May 3, 1995; which application is incorporated herein by reference and to which applications priority is claimed under 35 USC §120.--
9. (a) Informal drawings are enclosed, sheets.
 (b) Formal drawings are enclosed, sheets.
10. (a) Priority of application Serial No. filed on in is claimed under 35 U.S.C. 119.
 (b) The certified copy has been filed in prior application Serial No. filed on .
11. (a) An Assignment is enclosed.
 (b) X Enclosed is a copy of the prior assignment as originally filed.
12. X The prior application is assigned of record to Sangstat Medical Corporation.
13. X The power of attorney in the prior application is to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT, LLP

- (a)___ The power appears in the original papers in the prior application.
- (b)___ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) X Address all future communications to:

Todd A. Lorenz, Esq.
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: (415) 781-1989

14. ___ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
15. ___ A Prior Art Statement is enclosed.
16. X I hereby verify that the attached papers are a true duplicate of prior application Serial No. 08/433,613 as originally filed on May 3, 1995.

Date:

12/19/00


Todd A. Lorenz

Registration No. 39,754

Address of Signer:

Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: 415-781-1989

X Attorney or agent of record

___ Filed under Section 1.34(a)

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